

# COVINGTON

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September 16, 2021

Honorable Edgardo Ramos  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Mark S. Scott, S10 17 Cr. 630 (ER)***

Dear Judge Ramos:

On September 10, 2021 the Government filed its opposition to Mr. Scott's Supplemental Motion for a New Trial, disclosing that Konstantin Ignatov perjured himself in the trial of Mark Scott and that an investigator with the Manhattan DA's Office, who was involved in the prosecution, received a credible report about this perjury in June and failed to take further action or disclose that information to the defense. Based on these revelations, Mr. Scott has made further information requests to the Government, which the parties are discussing. The parties propose advising the Court of a proposed schedule for a further submission by Mr. Scott on his application once the Government has addressed these requests.

Separately, we have discussed with the Government a redacted version of the motion papers that could be publicly filed, relying on the Government's assessment of what may be necessary to address concerns that initially led counsel for Mr. Scott to file his application under seal. We expect to transmit an agreed upon set of redacted materials to the Court shortly for the Court's consideration and public filing.

Respectfully submitted,

/s/ Arlo Devlin-Brown  
Arlo Devlin-Brown